7252216/2023/OP-I-AGC01

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Service – Agricultural Marketing Department – Departmental Proceedings initiated against Sri K.Henry Kumar, the then Audit Officer & Deputy Director of Marketing (Retired), O/o Commissioner & Director of Agricultural Marketing, A.P., Guntur under Rule 20 of A.P.Civil Services (Classification, Control &Appeal) Rules, 1991 – Article of Charge – Issued.

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AGRICULTURE & COOPERATION (VIG-II) DEPARTMENT

G.O. Rt.No.262 **Dated:18.04.2023**

Read the following:-

1. E-file No.AGC05-16021/53/2022-DISCPLR SEC-MRKT(Computer No.1919583), dated:28.02.2023 & 28.03.2023 of the C&DoAM, AP, Guntur.
2. G.O.Ms.No.19, A&C(Vig.II)Dept., dated:18.04.2023.
3. G.O.Ms.No.20, A&C(Vig.II)Dept., dated:18.04.2023.

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O R D E R :-

It is proposed to hold an inquiry against Sri K.Henry Kumar, the then Audit Officer & Deputy Director of Marketing (Retired), O/o Commissioner & Director of Agricultural Marketing, A.P., Guntur in accordance with the procedure laid down in under Rule 20 of A.P. Civil Services (Classification, Control & Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statements of article of charge (Annexure – I & II). A list of documents by which and a list of witnesses by whom the article of charge are proposed to be sustained are also enclosed(Annexure –III & IV).

3. Sri K. Henry Kumar, the then Audit Officer & Deputy Director of Marketing (Retired), O/o Commissioner & Director of Agricultural Marketing, A.P., Guntur is directed to submit his written statement of defence within 15 days from the receipt of this order.

4. Sri K. Henry Kumar, the then Audit Officer & Deputy Director of Marketing (Retired), O/o Commissioner & Director of Agricultural Marketing, A.P., Guntur is informed that an inquiry will be held only in respect of those article of charge that are not admitted. He should, therefore, specifically admit or deny the article of charge.

5. Sri K. Henry Kumar, the then Audit Officer & Deputy Director of Marketing (Retired), O/o Commissioner & Director of Agricultural Marketing, A.P., Guntur is further informed that if he does not submit his written statement of defence on or before the date specified in para 3 above, further action will be proceeded based on the material available.

6. Sri K. Henry Kumar, the then Audit Officer & Deputy Director of Marketing (Retired), O/o Commissioner & Director of Agricultural Marketing, A.P., Guntur is informed that Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964 stipulates that under which no circumstances, Government servant shall bring or attempt to bring any political or outside influence to hear upon any superior authority to further his interest in

(P.T.O.)

respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that Sri K. Henry Kumar, the then Audit Officer & Deputy Director of Marketing (Retired), O/o Commissioner & Director of Agricultural Marketing, A.P., Guntur is aware of such representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of this order may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PARDESH)

CHIRANJIV CHOUDHARY, IFS,
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri K. Henry Kumar, the then Audit Officer &
Deputy Director of Marketing(Retired),
O/o Commissioner & Director of Agricultural Marketing, A.P., Guntur.
(Through: The Commissioner & Director of Agricultural Marketing, A.P., Guntur)

Copy to:

The Commissioner & Director of Agricultural Marketing, A.P., Guntur(with a request to serve the order on the individual and send the served copy with dated signature of the Charged Officer to Government)

✓ SF/SC.

// FORWARDED :: BY ORDER //

SECTION OFFICER

[Annexure to G.O.Rt.No.262, A&C(Vig.II) Dept., Dated:18.04.2023]

ANNEXURE–I

STATEMENT OF ARTICLE OF CHARGE FRAMED AGAINST SRI K. HENRY KUMAR, THE THEN AUDIT OFFICER & DEPUTY DIRECTOR OF MARKETING(RETIRED), O/o COMMISSIONER & DIRECTOR OF AGRICULTURAL MARKETING, A.P., GUNTUR.

ARICLE OF CHARGE

"That Sri K. Henry Kumar, the then Audit Officer & Deputy Director of Marketing (Retired), O/o Commissioner & Director of Agricultural Marketing, A.P., Guntur has processed the service pension proposals in respect of Smt. G. Sakunthala, Junior Market Supervisor (Retired), AMC, Proddatur, with a malafide intention, even well aware of the non eligibility for service pension due to not having the 20 years of qualifying service as per Rule 43 of A.P. Revised Pension Rules, 1980.

Due to irregular processing of proposal, an amount of Rs.5,72,698/- has erroneously paid to Smt. G. Sakunthala, Junior Market Supervisor (Retired), AMC, Proddatur, Y.S.R. Kadapa District.

Thus, it shows his gross negligence towards his official duties and lack of devotion to duty and thus, violated the Rule 3 of A.P. Civil Services (Conduct) Rules 1964".

ANNEXURE – II

STATEMENT OF IMPUTATIONS OF MISCONDUCT OR MISBEHAVIOUR IN SUPPORT OF ARTICLE OF CHARGE FRAMED AGAINST SRI K. HENRY KUMAR, THE THEN AUDIT OFFICER & DEPUTY DIRECTOR OF MARKETING(RETIRED), O/o COMMISSIONER & DIRECTOR OF AGRICULTURAL MARKETING, A.P., GUNTUR.

Imputations of Charge:-

Basing on report of the Commissioner & Director of Agricultural Marketing, A.P., Guntur, Sri K. Henry Kumar, the then Audit Officer & Deputy Director of Marketing (Now Retired), O/o Commissioner & Director of Agricultural Marketing, A.P., Guntur has processed the service pension proposals of Smt. G. Sakunthala, Junior Market Supervisor (Retired), AMC, Proddatur, who was voluntary retired from service with the qualifying service of 16 years 11 months and 19 days.

Even well knowledge about non eligibility of individual for service pension due to not having qualifying service of 20 years as per Rule 43 of A.P. Revised Pension Rules, 1980, he processed the service pension proposal for sanctioning of Service Pension and other pensionary benefits to Smt. G. Sakunthala, Junior Market Supervisor (Retired), AMC, Proddatur, Y.S.R. Kadapa District with malafide intention, duly misguiding the higher authorities. An amount of Rs.5,72,698/- was erroneously paid to Smt. G. Sakunthala, Junior Market Supervisor (Retired),AMC, Proddatur, Y.S.R. Kadapa District.

(Contid..4)

[Annexure to G.O.Rt.No.262, A&C(Vig.II) Dept., Dated:18.04.2023]

Thus, it shows his gross negligence, failed to maintain absolute integrity, devotion to duty and conduct unbecoming of the public servant and contravened rule 3 of A.P.C.S. (Conduct) Rule 1964. Hence the charge.

ANNEXURE – III

LIST OF DOCUMENTS BY WHICH THE ARTICLE OF CHARGES FRAMED AGAINST SRI K. HENRY KUMAR, THE THEN AUDIT OFFICER & DEPUTY DIRECTOR OF MARKETING(RETIRED), O/o COMMISSIONER & DIRECTOR OF AGRICULTURAL MARKETING, A.P., GUNTUR ARE PROPOSED TO BE SUSTAINED.

1. Roc.No.50/2018, dated:26.09.2018 of the Chairman, Agricultural Market Committee, Proddatur.
2. Roc.No.50/2018, dated:10.10.2018 of the Special Grade Secretary, Agricultural Market Committee, Proddatur.
3. Letter No.SA/135/2018, dated:16.11.2018 of the Asst. Director of Marketing (FAC), Kadapa.
4. Note submitted No.Note#12 to Note#19, e-file No.18021/120/2018, dated:16.07.2019.
5. Procgs.No.D.Dis.No.P-2-18021/120/2018 (P.P.O.No.4188) dated:16.07.2019 of Commissioner & Director of Agricultural Marketing, Guntur.

ANNEXURE – IV

LIST OF WITNESS BY WHOM THE ARTICLE OF CHARGES FRAMED AGAINST SRI K. HENRY KUMAR, THE THEN AUDIT OFFICER & DEPUTY DIRECTOR OF MARKETING(RETIRED), O/o COMMISSIONER & DIRECTOR OF AGRICULTURAL MARKETING, A.P., GUNTUR.

Smt. K. Nagaveni Deputy Director of Marketing, O/o Commissioner & Director of Agricultural Marketing, A.P., Guntur

CHIRANJIV CHOUDHARY, IFS,
PRINCIPAL SECRETARY TO GOVERNMENT